

FACSIMILE BROWN MARTIN HALLER & McCRAIN

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TO FAX NO.: 703-746-9448

ATTN: Examiner Paula W. Klimach

COMPANY: US Patent & Trademark Office

FROM: Heidi L. Eisenhut

Number of pages: 4
(including cover page)

Date of transmission: December 9, 2003

Client No.: 2322-0482

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Subject/comments:

Operator: Linda Thompson

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JAN 15 2004

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12730 High Bluff Drive,
Suite 400
San Diego,
California 92130
Tel 858 350-8100
Fax 858 350-6111

FACSIMILE COVER SHEET

OFFICIAL

Date: January 15, 2004	Client & Matter Number: 014801-000400US	No. Pages (including this one): 15
To: Examiner Paula Kilmach U.S. Patent & Trademark Office	At Fax Number: (703) 872-9306	Confirmation Phone Number: (703) 305-8421
From: Jeanette Olivera, Assistant to Thomas E. Coverstone (6103)		

Message: Re: Ser. No. 09/360,068.

Per our earlier phone conversation, attached is a copy of the Response to Restriction Requirement filed by previous counsel as well as a copy of the fax sent by previous counsel on December 9, attaching a copy of the stamped postcard. If you need any further documentation, please feel free to call me. My direct no. is (858) 350-6103.

Original Will:	<input type="checkbox"/>	BE SENT BY MAIL	<input type="checkbox"/>	BE SENT BY FEDEX/OVERNIGHT COURIER	<input type="checkbox"/>	BE SENT BY MESSENGER	<input checked="" type="checkbox"/>	NOT BE SENT
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THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED
HERETO WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING (MAILED
August 8, 2003, BY FIRST CLASS MAIL):

CLIENT NO.: 2322-0482 [NFM:HLE:sys]
INVENTOR: PAGE, Kevin J. et al.
SER. NO.: 09/360,068 FILED: 07/23/1999
TITLE: METHOD AND APPARATUS FOR ESTABLISHING A SECURE SMART CARD
COMMUNICATION LINK THROUGH A COMMUNICATION NETWORK
ENCLOSURES:
• Transmittal Form (1p.);
• Fee Transmittal (in duplicate) (2p.);
• Response to Election Requirement (2p.) (in response to Restriction
Requirement (Paper No. 10, dated 06/20/03-due: 07/20/03));
• Information Disclosure Statement under 37 C.F.R. §§ 1.97 & 1.98 (2p.);
• Form PTO/SB/08A (1p.);
• 3 References (54p.);
• Check in the amount of \$290 for 1XOT (110) and IDS (180); and
• Return Postcard.

PLEASE STAMP HERE (THANK YOU): *K.W.*

PTO/SB/21 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

62

Application Number	09/360,068
Filing Date	07/23/1999
First Named Inventor	PAGE, Kevin J.
Art Unit	2131
Examiner Name	KLIMACH, Paula W.

Attorney Docket Number

2322-0482

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Form PTO/SB/08A;
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Cited References;
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> Postcard Receipt
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Brown Martin Haller & McClain LLP Heidi L. Eisenhut (Reg No. 46,812)
Signature	<i>Heidi L. Eisenhut</i>
Date	08/08/2003

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

08/08/2003

Typed or printed	Sachiko Y. Snedden
Signature	<i>Sachiko Y. Snedden</i>
Date 08/08/2003	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032
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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 290.00)

Complete If Known

Application Number	09/360,068
Filing Date	07/23/1999
First Named Inventor	PAGE, Kevin J.
Examiner Name	KLIMACH, Paula W.
Art Unit	2131
Attorney Docket No.	2322-0482

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:Deposit Account Number
02-4070

Brown Martin Haller & McClain LLP

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments

 Charge any additional fee(s) during the pendency of this application

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee			
1002 330	2002 165	Design filing fee			
1003 520	2003 260	Plant filing fee			
1004 750	2004 375	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$ 0.00)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	
			-3** =	X	

Large Entity	Small Entity	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0.00)		

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 85	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	1053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 65	Extension for reply within first month			110
1252 410	2252 205	Extension for reply within second month			
1263 930	2253 465	Extension for reply within third month			
1254 1,450	2254 725	Extension for reply within fourth month			
1255 1,970	2255 985	Extension for reply within fifth month			
1401 320	2401 160	Notice of Appeal			
1402 320	2402 160	Filing a brief in support of an appeal			
1403 280	2403 140	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,300	2453 650	Petition to revive - unintentional			
1501 1,300	2501 650	Utility issue fee (or reissue)			
1502 470	2502 235	Design issue fee			
1503 630	2503 315	Plant issue fee			
1480 130	1480 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			180
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.128(b))			
1801 750	2801 375	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 290.00)

(Complete if applicable)					
Name (Print/Type)	Heidi L. Eisenhut	Registration No. (Attorney/Agent)	48,812	Telephone	(619) 238-0999
Signature	<i>Heidi Eisenhut</i>	Date	08/08/2003		

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PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of) FOR: METHOD AND APPARATUS FOR
PAGE, Kevin J. et al.) ESTABLISHING A SECURE SMART
Serial No.: 09/360,068) CARD COMMUNICATION LINK
Filed: July 23, 1999) THROUGH A COMMUNICATION
) NETWORK
) Group Art Unit: 2131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn.: Examiner Paula W. Klimach

Dear Madam:

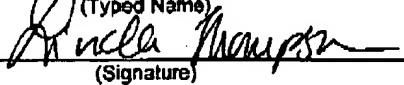
Thank you for your call regarding Serial No. 09/360,068. Attached is a copy of the stamped return receipt postcard from OIPE indicating that we sent a response to

I hereby certify that this correspondence is being faxed to Attention:
Examiner Paula W. Klimach, Commissioner for Patents via fax
number (703) 748-9448 on the date indicated below:

December 9, 2003
(Mailing Date)

Linda Thompson

(Typed Name)



(Signature)

December 9, 2003
(Date of Signature)

(Kevin Page 2322-0482 12-08-03.wpd)

- 2 -

Ser. No. 09/360,068

restriction requirement on August 8, 2003 and OIPE received it on August 11, 2003. If you need additional information, please do not hesitate to let me know. Thank you.

Respectfully submitted,

Dated: 12/9/03

By:

Heidi Eisenhut

Heidi L. Eisenhut
Attorney for Applicants
Registration No. 46,812

BROWN MARTIN HALLER & McCLAIN LLP
1660 Union Street
San Diego, California 92101

Telephone: (619) 238-0999
Facsimile: (619) 238-0062

Docket No.: 2322-0482

[Kevin Page 2322-0482 12-08-03.wpd]

THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED
HERETO WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING (MAILED
August 8, 2003, BY FIRST CLASS MAIL):

CLIENT NO.: 2322-0482 [INFM:HLE:sys]
INVENTOR: PAGE, Kevin J. et al.
SER. NO.: 09/360,088
TITLE: METHOD AND APPARATUS FOR ESTABLISHING A SECURE SMART CARD
COMMUNICATION LINK THROUGH A COMMUNICATION NETWORK

ENCLOSURES:
• Transmittal Form (1p.);
• Fee Transmittal (in duplicate) (2p.);
• Response to Election Requirement (2p.) (in response to Restriction
Requirement (Paper No. 10, dated 06/20/03-due 07/20/03);
• Informal Disclosure Statement under 37 C.F.R. 551.97 & 1.98 (2p.);
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